

Florence, New Jersey
August 17, 2005

The Florence Township Council held a regular meeting on the above date in the Municipal Complex, 711 Broad Street, Florence, New Jersey.

The meeting was called to order by President Fratinardo at 8:00 PM. President Fratinardo led the Salute to the Flag.

The Township Clerk read the following statement: "Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on January 2, 2005 and January 16, 2005; given to the Register News for information. Notice was posted on the Municipal Bulletin Board."

Upon roll call the following were found to be present:

John Fratinardo, President
Frank Baldorossi
Bruce Garganio
Elizabeth Ryan
Jerry Sandusky

Also present:

Mayor Michael Muchowski; Richard Brook, Township Administrator; Thomas Sahol, Assistant Administrator; Dante Guzzi, Township Engineer; William John Kearns, Jr., Township Solicitor; Joy Weiler, Township Clerk

PRESENTATION: PROCLAMATION HONORING – GEORGE LENGEL

Council Vice President Ryan attended an awards ceremony on the floor of the General Assembly honoring a handful of volunteers from the State of New Jersey. Among them was George Lengel who was being honored for his volunteerism in the Village of Roebling. Council Vice President Ryan expressed how proud she is of Mr. Lengel.

On behalf of the governing body, Mayor Muchowski presented a Proclamation to Mr. Lengel. He praised Mr. Lengel for the person he is and all he has done for the Village of Roebling.

Mr. Lengel thanked Mayor and Council for this honor. He discussed the rich and glorious history of Roebling and his love of Roebling. He also thanked the governing body and the administrative staff for their work on a spectacular centennial celebration. Mr. Lengel introduced his family.

MINUTES

Garganio made a MOTION; seconded by Sandusky to approve the following minutes. Roll call vote – all ayes. Motion carried.

Closed Session August 3, 2005 and August 10, 2005

FINANCIAL CORRESPONDENCE

It was on the MOTION of Ryan; seconded by Sandusky to receive and file the Chief of Police report, Court Administrator's report and the Township Clerk's report for July. Roll call vote – all ayes. Motion carried.

Ryan made a MOTION; seconded by Sandusky to approve the Treasurer's Bill List. Roll call vote – all ayes. Motion carried.

REGULAR CORRESPONDENCE

None at this time.

APPLICATIONS

- A. Transient Merchant: Renewal – Mr. Softee Ice Cream
- B. Transient Merchant: Renewal – Pete's Pizza
- C. Social Affair: Holy Assumption PTA, September 17, 2005, 5:30 – 11:00 PM
- D. Raffles: Casino Night, Holy Assumption PTA, September 17, 2005, 6:30 – 11:00 PM
50/50 On Premise, Holy Assumption PTA, September 17, 2005, 6:30 – 11:00 PM

Council Member Sandusky asked that Application B be HELD for discussion.

Council Member Garganio asked that Application A be HELD for discussion.

It was on the MOTION of Sandusky, seconded by Garganio to approve Applications C and D.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Motion carries.

Discussion: Transient Merchant: Renewal – Mr. Softee Ice Cream

On the Question

Council Member Garganio asked if Council must approve a Transient License or can they turn it down? He expressed his concern that there are many local businesses, which pay taxes that offer the same services. This business pays a one time a year fee and takes business away from local ratepayers. Solicitor Kearns will research and report back.

Discussion: Transient Merchant: Renewal – Pete's Pizza

On the Question

Council Member Sandusky noted that the Board of Health certificate for Pete's Pizza is coming from the Columbus Farmer's Market. Since this is a transient vehicle, Council Member Sandusky requested that Joy Weiler, Township Clerk, contact the inspections

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officer and ask if this certificate is for the building that they operate out of in Columbus or the truck that they operate out of while in Florence?

Since propane is used to heat the ovens on Pete's Pizza's truck, Council Member Sandusky feels that a fire inspection should be required.

Council Member Sandusky raised concerns that this may no longer be a Transient Merchant now that the owner of Pete's Pizza owns the property that they sell from every Friday evening. He asked if other property owners could do the same thing? He would much rather see a building built where the township would receive tax payments rather than a small Transient Merchant license fee per year. Mayor Muchowski expressed the same concerns.

After further discussion of Mr. Softee's and Pete's Pizza's Transient Merchant Licenses, Mayor and Council decided to approve both applications for a one-month period while Solicitor Kearns researches and provides his legal opinion.

Clerk Weiler stated that Mister Softee is requesting to operate his business until 9:00 PM. Council will only allow him to operate until dusk each evening.

It was on the MOTION of Ryan; seconded by Sandusky to approve **Mister Softee's Transient Merchant License** application to operate until dusk for a one-month period while the definition of Transient Merchant is reviewed.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Motion carries.

It was on the MOTION of Ryan; seconded by Sandusky to approve **Pete's Pizza Transient Merchant** application for a one-month period while the definition of Transient Merchant is reviewed.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Motion carries.

PUBLIC COMMENTS

Tom Stanuikynas, 15 Third Avenue, formally congratulated the Florence Girls U-10 Softball Team for winning the State Championship last Saturday.

All residents having an opportunity to be heard, MOTION by Garganio; seconded by Ryan to close the public portion of the meeting. All ayes - motion carried.

RESOLUTIONS

RESOLUTION NO. 2005-163

**AWARD CONTRACT FOR TALL PINES WATER AND SEWER
TO PACT CONSTRUCTION, INC., P.O. BOX 74,
RINGOES, NEW JERSEY 08551
NOTE: AWARDING ALTERNATE DEDUCT**

RESOLUTION NO. 2005-164

**AUTHORIZE RELEASE OF PERFORMANCE BOND
FOR ATLANTIC COAST COMPANIES, BLOCK 159, LOT 1.01
CONDITIONED UPON POSTING A TWO YEAR
MAINTENANCE BOND AND PAYMENT OF
ANY ESCROW FUNDS DUE**

RESOLUTION NO. 2005-165

**APPROVE PAYMENT OF CURRENT ESTIMATE NO. 18 FOR
RMS CONSTRUCTION COMPANY, 1985 DUTCH MILL ROAD,
FRANKLINVILLE, NJ 08322
NEW PUBLIC WORKS FACILITY**

RESOLUTION NO. 2005-166

AUTHORIZING REFUNDS OF CERTAIN OVERPAYMENTS

RESOLUTION NO. 2005-167

AUTHORIZE REFUNDS OF RECREATION REGISTRATION FEES

Council Vice President Ryan stated that Resolution No. 164, Release of Performance Bond for Atlantic Coast Companies, is being HELD this evening.

It was on the MOTION of Garganio, seconded by Sandusky that Resolutions 2005-163, 2005-165 through 2005-167 be approved.

On the Question

Administrator Brook stated, for the record, that Resolution No. 163, Award Tall Pines Water and Sewer Contract, is without the initial alternate that was bid. However, the contractor who is getting the bid may be notified that there will be a Change Order or deduct for approximately \$73,000 to deal with an extension of the water and sewer mains approximately 300' to 320' beyond the school property out on Cedar Lane. Administrator

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Brook will notify the school again tomorrow that they will need to provide an answer very soon. Once the contract is awarded, signed and the bond is posted, the contractor begins to order materials. Mayor Muchowski spoke with the Superintendent of Schools and he indicated that the township should receive an answer in a couple of days.

Mayor Muchowski addressed Resolution No. 167, Refund of Recreation Registration Fees. He stated that a policy needs to be set for refunding recreation registration fees. He explained that a couple of people signed up for the summer camp then cancelled. Since there was a limit of 70 children, there was a waiting list. Council Members in agreement that if the spot can be filled they will receive a refund, if the vacant spot cannot be filled no refund will be given.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Motion carries.

ORDINANCES

**ORDINANCE NO. 2005-20
(1st Reading)**

**AMENDING THE CODE OF THE TOWNSHIP OF FLORENCE TO
REGULATE AND LIMIT CERTAIN NOISE GENERATING ACTIVITIES**

**ORDINANCE NO. 2005-21
(1st Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE IN BURLINGTON
COUNTY, NEW JERSEY, AMENDING CHAPTER 87 OF THE FLORENCE
TOWNSHIP CODE TO ADD A NEW ARTICLE V. ENTITLED "REQUIRED
GROWTH-SHARE AFFORDABLE HOUSING OBLIGATION"**

It was on the MOTION of Garganio, seconded by Sandusky to approve Ordinance No. 2005-20 and 2005-21 on first reading and set adoption for September 7, 2005.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Unanimous approval.

REPORTS

Committees, Boards and Officers

- Council Member Sandusky stated what an honor Mr. Lengel received from the Governor and felt it would be appropriate for Mayor Muchowski to read the Proclamation at the Occasion in the Park. Mayor Muchowski also feels it is a good idea and will reach out with the representatives of the Occasion in the Park to get permission.

Mayor Muchowski

- Mayor Muchowski stated that, as in the past for a township State Championship team, he would be doing a Proclamation for the U10 Girls Softball Team. He believes that they will be having a banquet and will ask if they would like the Proclamation presented at the banquet or at a Council Meeting.

Administrator

- Administrator Brook reported that St. Paul's will be utilizing Wilkie Park for an event. They have arranged their own transportation, parking and restroom facilities.

Assistant Administrator

- Assistant Administrator Sahol reported on the status of the Roebling Park gazebo. He stated that the vault has been removed; it has been back filled and needs to stabilize for a week. Footings and foundation should begin next week.

Township Solicitor

- Mr. Guzzi reported that the Road Program is out to bid. The CDBG (barrier free sidewalk ramps) should go out to bid next week. The park project should go out to bid next month.

Township Engineer

- Nothing at this time.

UNFINISHED BUSINESS

Block Party Regulations

Mayor Muchowski questioned blocking off half of a roadway for a block party. Mayor and Council asked to add to the next month's Worksession Agenda for further discussion.

Background Checks

Council Member Garganio questioned the status of background checks for coaches and employees that enter resident's homes? Assistant Administrator Sahol needs to meet with the Chief of Police and will provide a rough draft of procedures for the September Worksession.

NEW BUSINESS

New Development Name

Council Vice President Ryan noted that in the packet was a request from a builder asking for the governing body's input on the name of a new development. Of the three choices the developer presented, Mayor and Council are in favor of Bustleton Estates. A letter will be sent to the developer from the Township Clerk.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Nothing at this time.

8:50 PM MOTION by Sandusky, seconded by Ryan to adjourn to Closed Session. Action may be taken following Closed Session. Roll call vote - all ayes.

ADJOURNMENT

8:50 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab

NOTE: No action taken following Closed Session.